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FIFTIETH ANNIVERSARY OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS
CRIME PREVENTION AND CRIMINAL JUSTICE
HUMAN RIGHTS QUESTIONS
UNITED NATIONS DECADE OF INTERNATIONAL LAW

SECURITY COUNCIL
Fifty-fourth year

Letter dated 6 January 1999 from the Permanent Representative of Turkmenistan to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to inform you that today, 6 January 1999, the President of Turkmenistan, Mr. Saparmurat Niyazov, signed an Act of Turkmenistan and a Decree concerning the introduction in Turkmenistan of a moratorium on the use of the death penalty as a measure of punishment. The Act came into force on 1 January 1999.

I should be grateful if you would have the text of this letter, and the copies of the aforementioned Act of Turkmenistan and Presidential Decree enclosed herewith, circulated as a document of the General Assembly, under agenda items 36, 46, 101, 110 and 149, and of the Security Council.

(Signed) Aksoltan T. ATAEVA
Permanent Representative

ANNEX I

On the introduction of a moratorium on the use of the death penalty as a measure of punishment

With a view to the further realization of the fundamental principles underlying the creation and development of Turkmenistan as a democratic, law-governed and secular State, on the basis of the consistent adherence to an implementation by Turkmenistan in its domestic and foreign policy of the universal norms of international law and the principles and goals of the United Nations and the Organization for Security and Cooperation in Europe, guided by the ideals of humanism, goodwill and justice, and in connection with the fiftieth anniversary of the adoption by the United Nations General Assembly of the Universal Declaration of Human Rights:

1. With effect from 1 January 1999, a moratorium on the use of the death penalty as a measure of punishment shall be introduced throughout the territory of Turkmenistan.

2. Pursuant to article 66, second paragraph, subparagraph (2) of the Constitution of Turkmenistan, the Supreme Council (Mejlis) shall conduct a legislative review of matters relating to the application of the present Decree.

Saparmurat Turkmenbashi
President of Turkmenistan

ANNEX II

On the procedure for the application of the moratorium on the use of the death penalty as a measure of punishment, introduced by the Decree issued by the President of Turkmenistan on 6 January 1999

In connection with the introduction by the Decree issued by the President of Turkmenistan on 6 January 1999 of a moratorium on the use of the death penalty as a measure of punishment:

1. As from 1 January 1999, the courts of Turkmenistan shall not, when pronouncing sentences, impose the death penalty as a measure of punishment.

2. On the basis of the principles laid down in article 6 of the Criminal Code of Turkmenistan, it is hereby established that the moratorium on the use of the death penalty as a measure of punishment extends to persons sentenced to death before the introduction of the moratorium.

3. Persons sentenced to death before 1 January 1999 shall be sent to correctional colonies to be confined under the conditions stipulated in respect of persons serving sentences in special-regime colonies.

4. The present Act shall enter into force at the time of its adoption.

Saparmurat Turkmenbashi
President of Turkmenistan